



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

July 9, 2013

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name of the Chief Executive Officer.

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Status of County-Sponsored Legislation**

- **County-sponsored AB 195 (Hall)** - related to design-build contract authority, passed the Senate Floor on July 8, 2013, and now proceeds to the Governor.
- **County-sponsored AB 506 (Mitchell)** - related to consent for HIV testing of an infant less than 12 months of age who is placed in foster care, passed the Senate Floor on July 8, 2013, and returns to the Assembly.
- **County-sponsored AB 512 (Rendon)** - related to the extension of the sunset date for exemptions from the State licensing requirements for qualified, out-of-State health care practitioners, passed the Senate Floor on July 8, 2013, and now proceeds to the Governor.

"To Enrich Lives Through Effective And Caring Service"

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- **Status of Legislation of County Interest.** A report on the status of eight measures of interest to the County related to: domestic violence mandates; HIV testing in primary clinics; enrollment of jail inmates in health care plans; annexation authority of local agency formation commissions; CalFresh Program eligibility; involuntary treatment for mental illness; California Environmental Quality Act reform; and sexually exploited and trafficked minors.
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Status of County-Sponsored Legislation

County-sponsored AB 195 (Hall), which as amended on May 20, 2013, would amend Section 20133 of the Public Contract Code to extend the existing sunset date for design-build authority granted to counties from July 1, 2014 to July 1, 2016, passed the Senate Floor by a vote of 33 to 0 on July 8, 2013. This measure now proceeds to the Governor.

County-sponsored AB 506 (Mitchell), which as amended on July 2, 2013, would allow a social worker, under specified conditions, to provide consent for an HIV test as part of the routine physical examination for infants less than 12 months of age who are placed in foster care, passed the Senate Floor by a vote of 33 to 0 on July 8, 2013. This measure now returns to the Assembly for concurrence with the amendments taken by the Senate.

County-sponsored AB 512 (Rendon), which as introduced on February 20, 2013, would extend the sunset date of County-sponsored 2699 (Bass) of 2010, from January 1, 2014 to January 1, 2018, to provide exemptions from State licensing requirements for qualified out-of-State health care practitioners to provide short-term, volunteer medical and dental services, passed the Senate Floor by a vote of 33 to 0 on July 8, 2013. This measure now proceeds to the Governor.

Status of Legislation of County Interest

AB 81 (Committee on Budget), which as amended on June 25, 2013, would reverse provisions of SB 71 (Chapter 28, Statutes of 2013) which repealed and made permissive various local law enforcement activities related to domestic violence. As amended, AB 81 would restore the following mandates and would require every law enforcement agency in the State to: 1) develop, adopt, and implement written policies and standards for officers responding to domestic violence calls; and 2) maintain a complete and systemic record of all protection orders with respect to domestic violence incidents and develop a system for recording all domestic violence-related calls for assistance, including whether weapons were involved. These activities would be

considered State-mandated and eligible for State reimbursement. AB 81 passed the Senate Floor by a vote of 37 to 0 on July 3, 2013, and now proceeds to the Assembly for concurrence with the amendments taken by the Senate.

AB 446 (Mitchell), which as amended on July 8, 2013, would: 1) require every patient between 12 and 65 years of age who has blood drawn at a primary care clinic and who has consented, to be offered an HIV test; 2) require the medical care provider or person administering the HIV test to provide a patient with specified information after the test results are received; 3) require informed consent either orally or in writing except when a person independently requests an HIV test from an HIV counseling and testing site; 4) require the person administering a test for a provider covered by the exemption to document the person's independent request for the test; 5) exempt clinical laboratories from the informed consent requirements; and 6) authorize the disclosure of the HIV test results by Internet posting or other electronic means if the result is posted on a secure Internet Web site and can only be viewed with the use of a secure code that can access only a single set of test results and that is provided to the patient at the time of testing. As amended, the bill no longer requires that: 1) information about risk reduction strategies be provided to patients; 2) patients independently requesting an HIV test be provided specified information after test results are received; and 3) persons administering HIV tests record a patient's informed consent in the person's medical record. AB 446 passed the Senate Judiciary Committee by a vote of 6 to 0 on July 2, 2013, and now proceeds to the Senate Appropriations Committee.

AB 720 (Skinner), which as amended on June 24, 2013, would require a county board of supervisors to designate an entity to assist jail inmates to apply for an affordable health insurance program under the health exchange as established by the Federal Affordable Care Act (ACA) and would specify that county jail inmates who are currently enrolled in the Medi-Cal program who become ineligible for benefits as a result of their detention retain enrollment in the program.

Under the Federal Affordable Care Act, individuals incarcerated in county jails who are in custody pending disposition of charges (pre-adjudicated) are eligible to enroll in a health insurance plan offered through the health exchange prior to conviction, or maintain coverage if they are already enrolled. In addition, while Federal Medicaid guidelines do not allow individuals who are incarcerated to receive Medicaid benefits, they do allow incarcerated individuals to remain enrolled in the program. Some states choose to terminate enrollment in Medicaid upon incarceration while others suspend enrollment while the person is incarcerated and reinstate benefits immediately upon release.

AB 720 would require a county board of supervisors to designate an entity to assist individuals detained in a county jail pending adjudication to apply for health insurance including Medi-Cal, a qualified health plan through the California Health Benefit Exchange or the Healthy Families Program. The bill also specifies that the board of supervisors shall not designate the county sheriff as the entity unless the county sheriff agrees to perform this function. If a community-based provider is chosen, the sheriff or jail administrator must approve. Finally, the bill requires that individuals enrolled in Medi-Cal who are ineligible to receive those benefits during their incarceration remain enrolled in the program.

AB 720 passed the Senate Public Safety Committee by a vote of 6 to 0 on July 2, 2013, and now proceeds to the Senate Appropriations Committee.

The Sheriff's Department indicates that they are supportive of AB 720 in concept but are currently working with the author's office on specifying the timing of enrollment to 72 hours post-arraignment, as well as, clarifying language related to the designation of a community-based provider as the entity responsible for enrollment assistance.

This office continues to work with the Sheriff's Department and the Departments of Public Social Services and Health Services to determine the impact of this measure to the County.

AB 743 (Logue), which as amended on June 11, 2013, would extend local agency formation commissions' authority to annex incorporated islands indefinitely and reset the effective island creation dates to January 1, 2014 to allow recently created islands to be annexed under these provisions, passed the Senate Floor by a vote of 33 to 0 on July 8, 2013. This measure now returns to the Assembly for concurrence with the amendments taken by the Senate.

SB 283 (Hancock), which as amended on June 18, 2013, would remove the current lifetime restriction on the ability of individuals formerly convicted of certain drug-related felonies to receive benefits under the CalFresh Program. Specifically, this measure would: 1) provide that as a condition of receiving CalFresh benefits, an applicant convicted of a felony drug offense, who is on probation or another form of supervised release, must comply with the terms of the release program, including participation in a drug treatment program, if required; 2) establish that if a recipient's supervised release is revoked, resulting in the recipient's incarceration, the individual shall be ineligible for

CalFresh benefits during the period of revocation; and 3) require the California Department of Social Services, in consultation with the County Welfare Directors Association and the Chief Probation Officers of California, among others, to adopt regulations to implement these changes to the CalFresh Program eligibility requirements by January 1, 2015.

SB 283 passed the Assembly Human Services Committee by a vote of 5 to 2 on July 2, 2013 with amendments specifying that the drug treatment program, described above, be a government recognized program, among other technical amendments. This measure now proceeds to the Assembly Appropriations Committee.

According to the Department of Public Social Services (DPSS), SB 283 would simplify the process for this population to receive CalFresh benefits. DPSS indicates that additional administration costs to the County could be negligible, if any, should SB 283 be enacted. CalFresh benefits are 100 percent Federally funded. Additionally, the California Food Assistance Program, which is part of the CalFresh Program, is 100 percent State funded.

This office will continue to work with DPSS to further analyze the potential impact on the County of this legislation.

SB 364 (Steinberg), which as amended on June 26, 2013, would make various revisions to the Lanterman-Petris-Short Act regarding the involuntary commitment and treatment of individuals with specified mental health disorders, passed the Assembly Health Committee by a vote of 19 to 0 on July 2, 2013. This measure now proceeds to the Assembly Appropriations Committee.

SB 731 (Steinberg), which as amended on May 24, 2013, would: 1) establish Statewide standardized thresholds for the environmental impacts of traffic and noise for infill projects; 2) expedite disposition of legal challenges under the California Environmental Quality Act (CEQA) by requiring concurrent preparation of the record of proceedings and allowing courts to issue writs of mandates limited to only the portion of environmental documents found to be in violation of CEQA; 3) revise CEQA notice and document posting requirements; and 4) clarify types of information that would require a supplemental environmental review for previously exempt projects, among other provisions, passed the Assembly Natural Resources Committee by a vote of 6 to 1 on July 1, 2013. This measure now proceeds to the Assembly Local Government Committee.

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SB 738 (Yee), which as amended on May 7, 2013, would, among other provisions: 1) provide, until January 1, 2017, that a minor may become a dependent child of the court if the minor is a victim of human trafficking, sexual exploitation, received food or shelter in exchange for sexual acts, and the parent or guardian failed or was unable to protect the child; 2) establish a State Plan to Serve and Protect Sexually Exploited and Trafficked Minors, and require, no later than January 30, 2014, for an interagency workgroup to be convened to develop the plan that would be submitted to the Legislature, Judicial Council, and the Governor no later than January 30, 2015; and 3) require training for administrators, such as group home facilities, to include instruction on cultural competency and sensitivity to provide adequate care to a sexually exploited and trafficked minor in out-of-home care. SB 738 was pulled from the Assembly Human Services Committee's agenda at the request of the author on July 2, 2013 and is now a two-year bill.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:ma

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants